

2182
#2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN THE APPLICATION OF : Glenn A. Emelko
FOR : DATA ENCRYPTION AND DECRYPTION
USING ERROR CORRECTION
METHODOLOGIES
SERIAL NO. : 09/921,072
CONFIRMATION NO. : 5272
FILED : August 2, 2001
EXAMINER : Unknown
ART UNIT : 2182
ATTORNEY DOCKET NO. : VD7375US



RECEIVED
JUL 12 2002
Technology Center 2100

Assistant Commissioner for Patents
Washington, DC 20231

INFORMATION DISCLOSURE STATEMENT

Sir:

1. Pursuant to 37 C.F.R. 1.97 and 1.98, and in compliance with 37 C.F.R. 1.56, the Office's attention is directed to the patents, publications and other information listed on the attached form PTO-1449. A copy of each listed document is enclosed *except for* documents previously cited by or submitted to the Office in a prior application(s) relied upon for an earlier filing date under 35 U.S.C. 120, said prior application(s) identified below:

Serial No.

Filing Date

2. Pursuant to 37 C.F.R. 1.97(g), the filing of this Information Disclosure Statement shall not be construed as a representation that a search has been made.

3. Pursuant to 37 C.F.R. 1.97(h), the filing of this Information Disclosure Statement shall not be construed as an admission that the information cited in this Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. 1.56(b).

4. Regarding each listed document that is not in the English language, an English-language translation accompanies this Statement as indicated on the attached PTO-1449 or a concise explanation of the relevance of the document is set forth in the following document(s):

- () Copy of each English language version of a search report by a foreign patent office in a counterpart foreign application, indicating the degree of relevance found by the foreign office of each document being submitted from the search report.
 - () Attachment entitled "Concise Explanation of Relevance of Non-English Language Documents."
 - () English-language abstract.
- (X) 5. Pursuant to 37 C.F.R. 1.97(b) this Statement is being filed:
- () concurrently with the filing of the national application; or
 - () within 3 months of the filing date of a national application; or
 - () within 3 months of the date of the entry of the national stage as set forth in 37 CFR 1.491 in an international application; or
 - (X) before the mailing date of a first Office Action on the merits.
- {NOTE: Statements filed within the foregoing periods require neither a fee nor a Certification}
- () 6. Pursuant to 37 C.F.R. 1.97(c) this Statement is being filed *after* the mailing date of a first Office Action on the merits but *before* the mailing date of either: a Final Office Action under 37 C.F.R. 1.113 or a Notice of Allowance under 37 C.F.R. 1.311, whichever occurs first. Accordingly, this Statement is accompanied by:
- () Certification as specified in 37 C.F.R. 1.97(e); OR
 - () The submission fee set forth in 37 C.F.R. 1.17(p). Enclosed is Form PTO-2038 authorizing the amount of \$180 covering the fee set forth in 37 C.F.R. 1.17(p) for consideration of this Statement to be charged to our credit card.
- () 7. Pursuant to 37 C.F.R. 1.97(d) this Statement is being filed *after* the period specified in 37 C.F.R. 1.97(c), but *before or concurrent with* payment of the Issue Fee. Accordingly, this Statement is accompanied by:
- A. Certification as specified in 37 C.F.R. 1.97(e); AND
 - B. The submission fee set forth in 37 C.F.R. 1.17(p). Enclosed is a check covering the fee set forth in 37 C.F.R. 1.17(p) for consideration of this Statement.
- () 8. Statement filed *after* payment of Issue Fee, but *before* patent grant:

This Statement is being filed *after* payment of the Issue Fee, but *before* grant of the patent; accordingly it is understood that this Statement will *not* be considered. However, it is respectfully requested that this Information Disclosure Statement be placed in the application file. {NOTE: no fees or certification required}

() 9. CERTIFICATION under 37 C.F.R. 1.97 (e) (if applicable):

- () The undersigned hereby certifies that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than 3 months prior to the filing of this Information Disclosure Statement, OR
- () The undersigned hereby certifies that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned, after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in 37 C.F.R. 1.56(c) more than 3 months prior to the filing of this Information Disclosure Statement.

The Commissioner is hereby authorized to charge any additional fees required for consideration of this Information Disclosure Statement, or credit any overpayment to Deposit Account No. 50-0537, identifying our Docket No. VD7375US.

Respectfully submitted,

Date: July 1, 2002

Michael A. Jaffe
Michael A. Jaffe
Registration No. 36,326

Mark Kusner Co., LPA
Highland Place – Suite 310
6151 Wilson Mills Road
Highland Heights, Ohio 44143
440-684-1090 (phone)
440-684-1095 (fax)

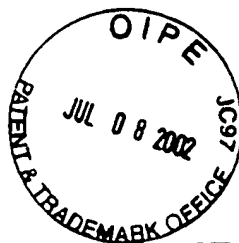
CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8

I hereby certify that this correspondence (along with any paper referenced as being attached or enclosed) is being deposited on the below date with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Assistant Commissioner for Patents, Washington, D.C. 20231.

Date: July 1, 2002

Christine Goellner
Christine Goellner

Form PTO-1449
Attorney Docket: VD7375US



COPY OF PAPERS
ORIGINALLY FILED

2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

INFORMATION DISCLOSURE CITATION

In re application of: Glenn A. Emelko

Serial No: 09/921,072

Group No.: 2182

Filed: August 2, 2001

Examiner: Unknown

For: DATA ENCRYPTION AND DECRYPTION USING ERROR
CORRECTION METHODOLOGIES

Assistant Commissioner for Patents
Washington, DC 20231

U.S. Patent Documents

Examiner Initials	Document Number	Date	Name	Class
_____	5,912,972	06/15/1999	Barton	380/23

Foreign Patent Documents

Examiner Initials	Document Number	Country	Translation (Yes/No)
_____	EP 0 605 047 A1	Europe	yes

Other Prior Art (Inc. Author, Title, Date, Pertinent Pages, Etc.)

Examiner Initials	Document
_____	Document No. XP-002199683, T.R.N. Rao and Kil-Hyn Nam, entitled: "Private-Key Algebraic-Coded Cryptosystems," Springer-Verlag, pages 35-48, dated 1998
_____	Document No. XP-002199684, Tzonelih Hwang and T.R.N. Rao, entitled: "Secret Error-Correcting Codes (SECC)," Springer-Verlag, pages 541-563, dated 1998
_____	International Search Report, 5 pages

Examiner:

Date Considered:

**Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.